IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Philip J. Charvat,	:	
	:	
Plaintiff,	:	Case No. 2:09-cv-209
	:	
v.	:	Judge Sargus
	:	
NMP, LLC, *et al.*,	:	Magistrate Judge Kemp
	:	
Defendants.	:	

MOTION TO WITHDRAW AS COUNSEL

Pursuant to Local Rule 83.4(c), James B. Hadden, Trial Attorney, Anthony R. McClure,

and the law firm of Porter Wright Morris & Arthur LLP, as well as W. R. Baldwin, III and the

law firm of Marchant, Thorsen, Honey, Baldwin & Meyer, LLP (admitted *pro hac vice*) move to

withdraw as counsel for Defendant Media Synergy Group, LLC ("MSG") and to be relieved

from any further obligations as counsel for MSG in this case. The reasons for this motion are set

forth in the accompanying memorandum in support.

Respectfully submitted,

/s/ James B. Hadden_____
by Anthony R. McClure
James B. Hadden (0059315) (Trial Attorney)
Anthony R. McClure (0075977)
Porter, Wright, Morris & Arthur LLP
41 S. High Street, 29th Floor
Columbus, OH 43215-6194
Telephone:(614) 227-2168
Fax: (614) 227-2100
Email: jhadden@porterwright.com
amcclure@porterwright.com

/s/ W. R. Baldwin, III_____
W. R. Baldwin, III (VSB #16988)
Marchant, Thorsen, Honey, Baldwin & Meyer, LLP
5600 Grove Avenue
Richmond, VA 23226
Voice: (804) 285-3888
Fax: (804) 285-7779
Email: billbaldwin@comcast.net

Counsel for Defendants

MEMORANDUM IN SUPPORT

James B. Hadden, Trial Attorney, Anthony R. McClure, and the law firm of Porter Wright Morris & Arthur LLP, as well as W. R. Baldwin, III and the law firm of Marchant, Thorsen, Honey, Baldwin & Meyer, LLP (admitted *pro hac vice*) (collectively "Counsel") move to withdraw as counsel for Defendant MSG and to be relieved from any further obligations as counsel for MSG in this case. Counsel will remain counsel for Defendant NMP, LLC.

Local Rule 83.4(c)(2) provides that the withdrawal of the trial attorney "must occur by way of motion and order." In accordance with the rule, the undersigned certifies that this motion is being served at the last known address of MSG listed in the certificate of service below. Further, good cause exists under the Rules of Professional Conduct, as MSG has failed to pay legal fees in this matter. To the best of Counsel's knowledge, Media Synergy Group, LLC is no longer in operation. A printed page from the State of Virginia's records (attached as Exhibit A) shows that MSG's status as a Limited Liability Company in that state has been "canceled."

MSG will not be prejudiced by this motion to withdraw, as trial has not yet been scheduled and the Court has issued a stay of proceedings, which has not yet been lifted. No other deadlines will be affected by Counsel's withdrawal.

For the foregoing reasons, James B. Hadden, Trial Attorney, Anthony R. McClure, and the law firm of Porter Wright Morris & Arthur LLP, as well as W. R. Baldwin, III and the law firm of Marchant, Thorsen, Honey, Baldwin & Meyer, LLP (admitted *pro hac vice*) move to withdraw as counsel for MSG and to be relieved from any further obligations as counsel for MSG.

Respectfully submitted,

/s/ James B. Hadden_____
by Anthony R. McClure
James B. Hadden (0059315) (Trial Attorney)
Anthony R. McClure (0075977)
Porter, Wright, Morris & Arthur LLP
41 S. High Street, 29th Floor
Columbus, OH 43215-6194
Telephone:(614) 227-2168
Fax: (614) 227-2100
Email: jhadden@porterwright.com
               amcclure@porterwright.com

/s/ W. R. Baldwin, III_____
W. R. Baldwin, III (VSB #16988)
Marchant, Thorsen, Honey, Baldwin & Meyer,
LLP
5600 Grove Avenue
Richmond, VA 23226
Voice: (804) 285-3888
Fax: (804) 285-7779
Email: billbaldwin@comcast.net

Counsel for Defendants

2

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served this 27th day of October, 2011, via the

Court's electronic filing system, and by regular mail to the following:

> Philip J. Charvat
> 636 Colony Drive
> Westerville, Ohio 43081
>
> *Plaintiff*
>
> Media Synergy Group, LLC
> c/o Charles Anton, President & CEO
> 720 Moorefield Park Dr., Ste. 200
> Richmond, VA 23236

> /s/ Anthony R. McClure
> Attorney for Defendants

COLUMBUS/1601353v.1

3